

NEW SUBSECTION. 9. The state and its political subdivisions shall give preference to purchasing Iowa products and purchasing from Iowa based businesses if the bids submitted are comparable in price to those submitted by other bidders and meet the required specifications.

Approved April 28, 1986

CHAPTER 1133

PIGEON SEASONS

S.F. 166

AN ACT to authorize the setting of seasons for pigeons.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 109.41, subsection 5, Code 1985, is amended to read as follows:

5. The Columbidae: Mourning doves and ~~wild rock doves~~ pigeons only.

Sec. 2. Section 109.48, unnumbered paragraph 1, Code 1985, is amended to read as follows:

No person, except as otherwise provided by law, shall willfully disturb, pursue, shoot, kill, take or attempt to take or have in possession any of the following game birds or animals except within the open season established by the commission: Gray or fox squirrel, bobwhite quail, cottontail or jack rabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, pigeons, or deer. The seasons, bag limits, possession limits and locality shall be established by the commission under the authority of sections 107.24, 109.38, and 109.39.

Sec. 3. Section 109.48, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The commission shall establish methods by which pigeons may be taken which may include, but are not limited to, the use of trapping, chemical repellants, or toxic perches.

Approved April 28, 1986

CHAPTER 1134

ENERGY CONSERVATION IMPROVEMENT PILOT PROGRAMS

S.F. 2083

AN ACT repealing the energy conservation improvement pilot programs and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 476.61, Code Supplement 1985, is repealed.

Sec. 2. A public utility which has initiated an energy conservation improvement pilot program under section 476.61 shall terminate the program and cease approving loans as quickly as possible consistent with good management practices and in a manner that minimizes costs to the utility's customers. Each utility shall file with the Iowa state commerce commission within thirty days of the effective date of this Act a plan for terminating any pilot project the utility is conducting under section 476.61. The termination plan shall include, but is not limited to, a proposed reconciliation of actual expenses incurred, including obligations, and

revenues collected under section 476.61. Upon the commission's approval, the reconciliation shall be either a one-time adjustment or collected over a reasonable amount of time. The reconciliation amount shall not be separately identified on the customer's bill.

The collections charged pursuant to section 476.61 shall be terminated by commission order, no later than the first monthly billing cycle after the effective date of this Act.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in The Altoona Herald-Mitchellville Index, a newspaper published in Altoona, Iowa, and in The Record-Herald & Indianola Tribune, a newspaper published in Indianola, Iowa.

Approved April 28, 1986

I hereby certify that the foregoing Act, Senate File 2083, was published in The Altoona Herald-Mitchellville Index, Altoona, Iowa, on May 1, 1986, and in The Record-Herald & Indianola Tribune, Indianola, Iowa, on May 6, 1986.

MARY JANE ODELL, *Secretary of State*

CHAPTER 1135

HAZARDOUS CHEMICALS RIGHT TO KNOW

S.F. 2165

AN ACT relating to the applicability of the hazardous chemicals risk right to know Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455D.4, subsection 1, Code 1985, is amended to read as follows:

1. Except for section 455D.9, this chapter does not apply to a person engaged in farming, as defined in this section or a pesticide as defined in section 206.2, subsection 1, used, stored, or available for sale by a commercial applicator as defined in section 206.2, subsection 12, a certified applicator as defined in section 206.2, subsection 17, a certified private applicator as defined in section 206.2, subsection 18, a certified commercial applicator as defined in section 206.2, subsection 19, a pesticide dealer as defined in section 206.2, subsection 24, or to activities which are covered under the federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. sec. 135 et seq.; provided, however, that such persons shall comply with the requirements of the federal Insecticide, Fungicide, and Rodenticide Act, 40 C.F.R. sec. 170, and chapter 206 where applicable to such persons. As used in this section, "farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock, spraying, or harvesting. The department of agriculture shall cooperate with the bureau in an investigation of an agricultural employee's complaint filed pursuant to section 455D.9.

Sec. 2. Section 455D.8, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This chapter does not apply to hazardous chemicals which are consumer products as defined in and regulated by the federal Consumer Product Safety Act, 15 U.S.C. §§ 2051 et seq., in the possession of a person who is not regulated by the federal occupational safety and health administration's hazard communication regulation 29 C.F.R. §§ 1910.1200 et seq. as promulgated on November 25, 1983.

Approved April 28, 1986